

Enforcement Response Plan for Requirements for Recycled Water Users (ERP)
County Sanitation Districts of Los Angeles County
District Nos. 14 and 20

1. Introduction

In 2006 and 2007, County Sanitation District Nos. 14 and 20 of Los Angeles County (Districts) adopted Ordinances to govern the permitting, enforcement, and inspection activities associated with the use of recycled water to ensure that the Districts had the authority to take action to correct inappropriate uses of recycled water, revoke water users' sales agreements if inappropriate uses persisted, and cease deliveries of recycled water. In conformance with the Ordinances, the Districts have also established *Requirements for Recycled Water Users* (Requirements) to ensure that recycled water users comply with all applicable statutes, regulations, and the Districts' Master Reclamation Permits. The Requirements contain rules governing the use of recycled water, procedures for obtaining permission to use recycled water, requirements for the operation and management of sites, information on site inspection and site access, corrective actions, notification and reporting, and record keeping.

Timely and consistent enforcement of the Ordinances and Requirements is critical to the success of the Districts' water recycling program. Thus, the Districts have developed this ERP to create a framework for identifying and investigating instances of noncompliance, and for taking enforcement actions that are appropriate in relation to the nature and severity of the violation. It is the Districts' intent to respond to violations as soon as they are discovered and to encourage users to achieve compliance as soon as possible. The overall goal of the ERP is to promote and ensure compliance among recycled water users.

2. Progressive Enforcement

The ERP is founded on the principle of progressive enforcement. Progressive enforcement is an escalating series of actions that allows for the efficient and effective use of enforcement resources to: 1) assist users in achieving compliance; 2) compel compliance for repeat violations; and 3) provide a disincentive for noncompliance.

While the Districts consider each violation to be a priority that needs to be corrected immediately, the Districts intend to tailor the type of enforcement response to the severity of the violation. For example, for very serious violations, a user's recycled water service may be terminated. For less serious violations, the response may be a verbal notification or a written notice or compliance letter. Also, if a violation continues, the enforcement response may be escalated until compliance is achieved.

Examples of more serious types of violations may include, but are not limited to:

- Unauthorized discharges of recycled water, including discharge to surface water.
- Spraying of food prep areas or drinking fountains.
- Creating a nuisance condition, which would include any action that is injurious to health, is indecent or offensive to the senses, obstructs the use of property, or otherwise adversely affects an individual or community.

- Allowing for, or creating, cross-connections between a recycled water line and a potable water line.
- Allowing for backflow between a recycled water system and a potable water system or failure to install backflow prevention devices.
- Failure to prevent recycled water from leaving the site.
- Allowing the use of recycled water outside of an approved area.
- Unauthorized use of recycled water.
- Failure to conduct cross-connection or backflow prevention testing.
- Failure to allow access for inspections.
- Failure to take or complete corrective actions.
- Failure to report spills greater than 50,000 gallons, and incidents of illness, cross-connections or backflow.
- Failure to notify the Districts of violations.

Examples of less serious violations may include, but are not limited to:

- Failure to maintain the recycled water system in good working condition.
- Allowing ponding or pooling of recycled water.
- Improper signage or marking of reuse facilities.
- Improper pipe, valves, valve boxes, etc.
- Improper operation or application of best management practices at reuse sites.
- Irrigation above agronomic rate or fertilizer needs.
- Failure to provide training for recycled water system by personnel.
- Failure to report minor releases of recycled water from the site.
- Failure to provide the Districts with required or requested information.
- Failure to keep records.
- Failure to appoint and maintain a Site Supervisor.

Violations may be found during routine inspection by purveyors or during routine operations by users. Once a violation is discovered, the Site Supervisor must take actions in accordance with Sections 7 (Corrective Action) and 8 (Notification and Reporting) of the Requirements. Such actions include: 1) immediately notifying the Districts and regulatory agencies; 2) providing written confirmation to the Districts and regulatory agencies within 3 business days from the date of notification; 3) providing follow-up documentation that the necessary corrections have been made.

If violations are found during a Districts' inspection, they will be noted on the Districts' inspection form with required follow-up actions and compliance dates. Verification of the corrective action must be made by the purveyor within 90 days of the initial inspection and reported to the Districts.